IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1603 OF 2006

WITH

CRIMINAL WRIT PETITION NO.1605 OF 2006

CRIMINAL WRIT PETITION NO.1603 OF 2006

Ghulam Nabi Jalil Ahmed Ansari. .. Petitioner.

vs.

State of Maharashtra

& Ors. .. Respondents.

Shri Sandesh D. Patil for petitioner.

Mrs. A.S. Pai, APP., for State.

WITH

CRIMINAL WRIT PETITION NO.1605 OF 2006

Ghulam Nabi Jalil Ahmed Ansari. .. Petitioner.

vs.

State of Maharashtra

& Ors. .. Respondents.

Shri Sandesh D. Patil for petitioner.

Mrs. A.S. Pai, APP., for State.

CORAM : J.N. PATEL, AND

SMT. ROSHAN DALVI, JJ.

DATE : 14th September, 2006.

P.C.

. These two writ petitions relate to the same subject matter and they are clubbed together.

2. Heard.

3. We find that the petitioner seeks an order of this Court to quash the proceedings initiated against him and others which came to be registered on the complaint of Shri Gorakh Vishwas Patil who is Senior Police Inspector attached with Nizampura Police Station,Bhiwandi. The first information report speaks for itself because of the stand taken by the petitioner and his associates that two innocent lives are lost amongst citizens and two police constables were killed. We do not find any justification in the Courts exercising its extraordinary jurisdiction to protect such persons by quashing the FIR. The law shall take its own course and if rule of law is to be upheld then the FIR which has been lodged in the matter deserves to be thoroughly investigated. We, therefore, expect that the State should immediately conclude the investigation and file charge sheet in the matter. Both the petitions stand dismissed.

4. The learned counsel for the petitioner submits that he may be permitted to withdraw the petitions and assures the Court that the petitioner would cooperate in the investigation of the case. As the learned counsel for the petitioner immediately after we dictated the order sought leave of this Court to withdraw the petitions and assures the Court to cooperate with the investigation, we are permitting the petitioner to withdraw the petitions. Both the petitions are dismissed as withdrawn.

(J.N. Patel, J.)

(Smt. Roshan Dalvi, J.)